

RENEWAL NOTICE

OK 8/4

250.00

PURCHASE DATE

12-31-84

PAGE 1

APPLICATION FOR RENEWAL SHALL BE MADE IN ADVANCE OF THE LICENSE EXPIRATION DATE AND SHALL BE ACCOMPANIED BY PAYMENT OF LICENSE FEE, PROOF OF CONTINUING EDUCATION AND FEEB. REVIEW AS REQUIRED IN OUR 332-25-678 AND OUR 332-25-678, AND CURRENT CERTIFICATION OF OUR FOR ADULTS AND INFANTS, WHICH INCLUDES NEWBORN BAG AND MASK VENTILATION.

DOB:

CLARENCE ANN LOFTING-KASSEL

12229488886

831.622

\$258.00

2002 JUNE 10
VENETA OREGON 9707

IF LICENSE WORN FOR 7 IN SIZE
AND CORRECT ON REVERSE SIDE

☐

LICENSED DIRECT ENTRY NOUNFE

Clashly, Henry - Kassel
SIGNATURE & LICENSE EXPIRATION

OREGON STATE HEALTH LICENSING OFFICE
BOARD OF DIRECT ENTRY MIDWIFERY
700 SUMMER ST., NE STE. 320
SALEM, OR 97310
(503) 378-8667 EXT. 4310

In the Matter of) NOTICE OF PROPOSED LICENSE
Revocation of a license against) REVOCATION;
CLAREBETH LOPRINZI-KASSEL) OPPORTUNITY FOR HEARING
File #H13BDMF017)
)
TO: CLAREBETH LOPRINZI-KASSEL)
25632 Jeans Rd)
Veneta, OR 97487)

YOU ARE HEREBY NOTIFIED that the Board of Direct Entry Midwifery proposes to revoke your license for the following reasons:

On April 15, 1995, you were called to assist in a home birth with a 38 year old woman. The second stage of labor lasted over 40 hours. During this prolonged labor, you failed to adequately take and/or record maternal blood pressure. You also failed to adequately take and/or record fetal heart tones. At no time during this period did you consult with a physician or hospital staff or transport your patient to a hospital. The baby was delivered at approximately 8:00 a.m. on April 17th. After the birth, the mother had a retained placenta. You failed to summon emergency assistance or transport the patient to the hospital. You abandoned the patient for some hours with the placenta still undelivered. You attempted to absolve yourself of responsibility by turning your patient over to a non-licensed midwife, who eventually transported the patient to a hospital some 24 hours after the birth. At the hospital, she required transfusion of whole blood and surgery.

The Board proposes to revoke your certification pursuant to Oregon Laws 1993, chapter 362, section 10, for the following violations of practice standards:

1. Failure to adequately monitor and/or record maternal blood pressure intrapartum and postpartum, OAR 332-025-0020(15)(f)(A)(g)(A)¹.
2. Failure to adequately monitor and/or record fetal heart tones during active labor and during second stage labor, OAR 332-025-0020(15)(f)(A).

¹All OAR citations are to 1994 rules.

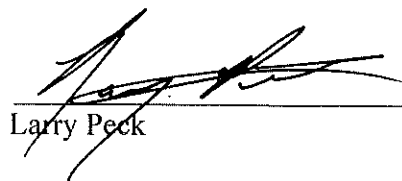
3. Failure to transport the patient for an in-hospital birth as required by OAR 332-025-0020(14)(a) when the baby failed to descend within the expected time during active pushing, OAR 332-020-0030(2)(a)(M).
4. Failure to transport the patient to the hospital or call for emergency transport when the mother retained the placenta without bleeding and later when the mother retained the placenta with bleeding, OAR 332-020-0030(3)(a)(A) and (B).
5. Failure to stay with the mother until her general condition is stable, OAR 332-025-0020(15)(g)(A).
6. Knowingly leaving a mother with a retained placenta, without a care provider, thereby engaging in unprofessional conduct under Oregon Laws 1993, chapter 362, section 10.
7. Transferring care to an unlicensed midwife rather than calling for emergency assistance in a potentially life threatening situation, or transporting the patient to a hospital, thereby engaging in unprofessional conduct under Oregon Laws 1993, chapter 362, section 10.

You have a period of 30 days after the date of mailing of this notice in which to make written application for a hearing before the State Board of Direct Entry Midwifery Hearing Officer, 700 Summer St. NE Suite 320, Salem, OR 97310. Upon receipt of a request for hearing, the Board will notify you of the time and place of the hearing. If you fail to request a hearing within 30 days, or fail to appear at the scheduled hearing, the Board or the Administrator will revoke your license based upon the record of the proceedings to date.

Should you request a hearing, you may be represented by legal counsel at the hearing. You will be given information on the procedures, the rights of representation and the rights of parties relating to the conduct at the hearing as required under ORS 183.413 before commencement of the hearing.

DATED this 8th day of May, 1998

Board of Direct Entry Midwifery
Susan K. Wilson, Administrator
Department of Human Resources
Health Licensing Office, State of Oregon


Larry Peck

**BEFORE THE HEALTH LICENSING OFFICE
OF THE STATE OF OREGON
BOARD OF DIRECT ENTRY MIDWIFERY**

In the Matter of)	STIPULATED ADMINISTRATIVE
License No. 0618123672:)	AGREEMENT AND FINAL LICENSE
)	ACTION ORDER
CLAREBETH LOPRINZI-KASSEL)	File No. 0618123672

A complaint was filed on September 3, 1997 against Clarebeth Loprinzi-Kassel, then a licensed direct-entry midwife in the State of Oregon. The complaint addressed events occurring on April 15, 1995 and in the days immediately following that date. The Oregon Board of Direct Entry Midwifery served a Notice of Proposed License Revocation upon Clarebeth Loprinzi-Kassel on May 8, 1998. The Board later rescinded that notice by public vote on July 31, 1998. The 1997 complaint itself remains pending before the Board, File No. 0618123672.

Clarebeth Loprinzi-Kassel and the Board, in order to resolve this 1997 complaint without further administrative proceedings, agree to the following:

1. The Oregon Board of Direct Entry Midwifery and Clarebeth Loprinzi-Kassel each admit no fault or wrongdoing by entering into this agreement.

2. The Board makes no findings, and enters no order of civil penalty, or letter of reprimand to resolve this 1997 complaint. The agreement under this stipulated agreement and order constitutes the entirety of the administrative corrective action imposed to resolve the 1997 complaint.

2a. Clarebeth Loprinzi-Kassel will make no appeal from, nor seek review of, this administrative order pursuant to ORS 183.480.

3. Clarebeth Loprinzi-Kassel is not now licensed by the State of Oregon as a direct entry midwife. Under the terms of this agreement and order, Clarebeth Loprinzi-Kassel agrees not to file an application to the Oregon Board of Direct Entry Midwifery for licensing as a direct entry midwife in the State of Oregon until January 1, 2001.

1 4. If Clarebeth Loprinzi-Kassel applies for a license in the State of Oregon as a
2 direct-entry midwife on or after January 1, 2001 she will apply as a new applicant.

3 5. If Clarebeth Loprinzi-Kassel applies for new license in the State of Oregon as a
4 direct-entry midwife after January 1, 2001 and meets the requirements for that license, then
5 before issuing that license the Board will examine five certified true copies of Clarebeth
6 Loprinzi-Kassel's charts that she completed during the six months preceding her application.

7 5a. The Board will select these charts on a random basis from the charts of all clients
8 who received care from Clarebeth Loprinzi-Kassel during those preceding six months. To effect
9 this, Clarebeth Loprinzi-Kassel will make available to the Board a notarized list of the names of
10 all her clients during those six months. The Board will make a random selection from those
11 names, and notify Clarebeth Loprinzi-Kassel of its selection. Within four days of that
12 notification, Clarebeth Loprinzi-Kassel will provide certified true copies of those women's charts
13 to the Board.

14 6. If in its review of Clarebeth Loprinzi-Kassel's charts, as described above, the
15 Board identifies any deficiency in Clarebeth Loprinzi-Kassel's charting skills, the Board may
16 require that Clarebeth Loprinzi-Kassel undertake further midwifery education from Holly
17 Scholles, or from another mutually agreed-upon instructor if Holly Scholles is unavailable, in
18 order to remedy that deficiency. This education must be completed satisfactorily within three
19 months after the Board issues a license to Clarebeth Loprinzi-Kassel.

20 7. Before the Board issues a license to Clarebeth Loprinzi-Kassel, the Board and
21 Clarebeth Loprinzi-Kassel will mutually agree upon a qualified licensed person who will serve
22 as a monitor to conduct on-site monitoring of Clarebeth Loprinzi-Kassel's midwifery practice
23 skills, for five out of the first ten births under her care.

24 7a Clarebeth Loprinzi-Kassel will provide the Board the opportunity to conduct that
25 monitoring by providing to the Board the names of all clients under her care throughout the
26 necessary period of time for monitoring five out of the first ten births under her care. Clarebeth

1 Loprinzi-Kassel will notify the person designated by the Board whenever she is called to attend a
2 birth, until the requisite number of monitored births is satisfied.

3 7b The birth monitorings described herein shall be conducted on a random basis.

4 7c If the first agreed-upon person becomes unavailable, the parties will identify
5 another person mutually agreed upon to act as monitor.

6 8. If Clarebeth Loprinzi-Kassel fails to comply with any of the requirements set
7 forth in this agreement paragraphs five through seven, that failure will be deemed a basis for
8 revocation of her direct-entry midwifery license; the Board may initiate revocation of license
9 proceedings to determine that failure.

10 9. In response to any inquiry from any person or state agency or board, or by another
11 state's agency, to the Oregon Board of Direct Entry Midwifery concerning this 1997 complaint
12 against Clarebeth Loprinzi-Kassel, the Board will not elaborate on the terms of this agreement
13 and administrative order, or on the terms of the stipulated agreement and order dismissing the
14 Ninth Circuit Court of Appeals matter No. 98-35538, DC# CV-98-06147-MRH, except as
15 required pursuant to the Public Record Laws of the State of Oregon and the statutes and
16 administrative rules applicable to the Board.

17 9a. The Board agrees to notify Clarebeth Loprinzi-Kassel of any public record
18 request concerning this 1997 complaint before responding to that request.

19 9b. This agreement resolves the 1997 complaint, and the Board will not initiate any
20 further regulatory action on that complaint. However, should other complaints against Clarebeth
21 Loprinzi-Kassel come before the Board concerning her conduct in reference to other matters
22 subject to the Board's regulatory authority, the Board may initiate regulatory action concerning
23 those new matters. The Board agrees that it will not use information that it obtained concerning
24 the investigation of the 1997 complaint against Clarebeth Loprinzi-Kassel in any prosecution of
25 new matters against her.

26 ///

1 10. Clarebeth Loprinzi-Kassel and the Board agree that this agreement is the product
2 of their mutual negotiations and preparation and, accordingly, shall not be deemed to have been
3 prepared or drafted by either party.

4 10a. Clarebeth Loprinzi-Kassel and the Board agree that any court or administrative
5 body seeking to interpret this agreement shall construe it as the product of mutual negotiation
6 and preparation. Any interpretation shall be made under Oregon laws.

7 11. Clarebeth Loprinzi-Kassel and the Board agree that this agreement is solely for
8 the purpose of settlement so as to avoid the expense and disruption of litigation.

9 12. Clarebeth Loprinzi-Kassel and the Board agree that neither will recover from the
10 other any expenses associated with this action, including any claims for attorney fees or related
11 costs.

12 13. This stipulated final order constitutes the entire and complete agreement between
13 the parties to resolve the administrative proceeding commenced concerning the 1997 license
14 complaint, and no promises, inducements or agreements not herein expressed have been made
15 and the terms of this agreement are contractual and not a mere recital. No waiver, consent,
16 modification or change of terms of this agreement shall bind either party unless in writing and
17 signed by both parties. Such waiver, consent, modification, or change, if made, shall be effective
18 only in the specific instance and for the specific purpose given. There are no understandings,
19 agreements, or representations, oral or written, not specified herein regarding this agreement.
20 The parties, by signatures below, each acknowledge that she has read this agreement,
21 understands it, and agrees to be bound by its terms and conditions.

22 ///

23 ///

24 ///

25 ///

26 ///

1 **FINAL ORDER**

2 The above-stipulated agreements constitute the final order of the Oregon Board of
3 Direct Entry Midwifery.

4
5 IT IS SO STIPULATED AND AGREED:

6 Clarebeth Loprinzi-Kassel
7 CLAREBETH LOPRINZI-KASSEL

Date: 6/20/00

8 Abigail Hoff
9 ABIGAIL HOFFAR, Chair
10 Oregon Board of Direct Entry Midwifery

Date: 6.23.00

11
12 **IT IS SO ORDERED:**

13 Susan K. Wilson
14 SUSAN K. WILSON, Director
15 Health Licensing Office
16 Oregon Board of Direct Entry Midwifery
17 State of Oregon

Date: 6/13/00

18 APPROVED AS TO FORM:

19 Roy Haber
20 ROY HABER
21 Counsel for Clarebeth Loprinzi-Kassel

Date: 6/19/00

22 Sharon Schooley
23 SHARON SCHOOLEY
24 Assistant Attorney General
25 Of Attorneys for Oregon Board of Direct Entry Midwifery
26

Date: 6/23/00

**HEALTH LICENSING OFFICE
BOARD OF DIRECT ENTRY MIDWIFERY
MINUTES OF January 14, 1999 - CONFERENCE CALL**

MEMBERS PRESENT

Abigail Hoffar
Marion Toepke

MEMBERS PRESENT
via telephone

Anne Frye, Chairperson
Mark Nichols, M.D.
Lisa Gladden

STAFF PRESENT

Susan K. Wilson, Administrator
Larry Peck, Enforcement Manager
Bob Gruchalla, Enforcement Officer
Monica J. Leisten, Board Liaison

MEMBERS EXCUSED

Kate Davidson
Daphne Singingtree

LEGAL ADVISOR

Sharon Scooley, Assistant Attorney General

CALL TO ORDER

The meeting of the Board of Direct Entry Midwifery was called to order for a telephone conference call at 1:18 p.m. on January 14, 1999, at 700 Summer St NE, Suite 320, Salem Oregon, by Chairperson, Anne Frye.

Dr. Nichols joined the meeting via telephone conference call at 4:05 p.m.

EXECUTIVE SESSION

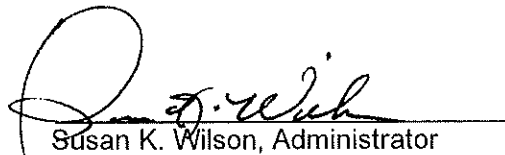
The Board entered into Executive Session pursuant to ORS 192.660 (1)(k) at 1:20 p.m. to discuss investigative materials and other confidential matters regarding case file number 9701.

The Executive Session concluded at 4:29 p.m. Anne Frye, Chairperson, reconvened regular session at 4:30 p.m. The Board vote concerning disciplinary action to be taken regarding file #9701 was as follows:

Ms. Toepke made a motion that the licensee be placed on a probationary status with sanctions. Ms. Gladden seconded the motion. The motion passed with Dr. Nichols and Ms. Hoffar in opposition.

The meeting adjourned at 4:31 p.m. 01/14/99

Chair Not Available
Anne Frye, Chairperson


Susan K. Wilson, Administrator



Oregon

John A. Kitzhaber, M.D., Governor

Department of Human Resources

Health Licensing Office

700 Summer St. NE, Suite 320

Salem, Oregon 97310

Telephone (503) 378-8667

FAX (503) 585-9114

TTY (503) 373-2114

E-Mail: hdlp.mail@state.or.us

Web Site: <http://www.hdlp.hr.state.or.us>

January 8, 1999

MEETING NOTICE:

"Telephone Conference Call"

Board of Direct Entry Midwifery

1:00 p.m. Thursday, January 14, 1999

There will be a meeting of the *Board of Direct Entry Midwifery* on Thursday, January 14, 1999, at 1:00 p.m. for a "telephone conference call" at the program office, suite 320, Veterans' Affairs Building, 700 Summer St NE, Salem, Oregon. The meeting will be conducted in Executive Session in accordance with ORS 192.660 (1)(k). The purpose of the meeting will be to discuss and determine disciplinary action regarding case file number 9701.

Susan K. Wilson, Administrator
Health Licensing Office
Board of Direct Entry Midwifery

Copies

To request copies of agenda items discussed at this meeting, please address your written request to the Board Liaison, identifying specific documents. Fees will be established when your request is received.

Executive Session

The Board may from time to time throughout the meeting enter into Executive Session to discuss certain matters on the agenda for any of the reasons specified in ORS 192.660. Prior to entering into Executive Session, the Board/Council president will announce the nature of and authority for holding the Executive Session. No final action will be taken in Executive Session.

Public Comment

Members of the public are invited and encouraged to participate at all Board/Council meetings as appropriate. All persons who plan to comment are asked to register on the sign-in roster prior to the meeting and indicate the agenda topic(s) on which they wish to speak. Opportunity for comment on topics not appearing on the agenda will be heard under public comment at the end of each meeting. Please wait for the chairperson to recognize the public prior to commenting on issues.

Additional Notes

The meeting location is accessible to persons with disabilities. A request for an interpreter for the hearing impaired or for other accommodations for persons with disabilities should be made at least 48 hours before the meeting to Monica J. Leisten, Board Liaison, (503) 378-8667 ext. 4323.

dem\nnotice.exe

Assisting People to Become Independent, Healthy and Safe
An Equal Opportunity Employer



Board Meeting
BOARD OF DIRECT ENTRY MIDWIFERY

~~Meeting Time: 1:00 P.m.
Adjournment:
CONFERENCE CALL~~

[illegible]

PUBLIC COMMENT: Members of the public are invited and encouraged to participate in all Board or Council Meeting as appropriate. All persons who plan to comment are asked to register on the sign in roster prior to the meeting and indicate agenda topic(s) on which they wish to speak. The Board will also give opportunity for comment on topics not appearing on the agenda under public comment at the end of each meeting. In advance of making comment, the chair will recognize the public for each issue noted on the sign-in sheet.

**BEFORE THE HEALTH LICENSING OFFICE
OF THE STATE OF OREGON
BOARD OF DIRECT ENTRY MIDWIFERY**

IN THE MATTER OF

**Clarebeth Loprinzi-Kassel
Licensee**

)
)
)
)
)
)

**NOTICE OF PROPOSED
REVOCATION**

**License No. 0618123672
File No. 99-01**

The Board of Direct Entry Midwifery hereby proposes to revoke your license on the following grounds:

**I.
ALLEGATIONS**

On August 15, 1999 you were the primary midwife in a birth that resulted in an infant death. Based upon an investigation conducted, the following violations of direct entry midwifery statutes were found.

- 1) The mother was completely dilated for 35 hours with the baby's head visible through the vaginal opening;
- 2) Rupture of the membrane without assessments of temperature and without repeated pelvic examinations;
- 3) Prolonged second stage;
- 4) Maternal exhaustion without treatment;
- 5) 42 week and 5 days gestation period without fetal surveillance;
- 6) Verbal abuse of mother; and
- 7) Soliciting the father to attest to known false information at the time of admittance of the mother to the hospital.

**II.
STATUTES AND RULES**

The above conduct is a violation of Oregon Laws, Chapter 362 and Oregon Laws, Chapter 990 and OAR chapter 332, division 1-30 and the administrative rules in effect at the time of the alleged violations which state in relevant part:

Section 10

- (1) The following acts shall be grounds for which the State Board of Direct Entry Midwifery may refuse to grant a license or may exercise the disciplinary action against a licensed direct entry midwife:

(f) Engaging in unprofessional conduct including, but not limited to, any departure from or the failure to conform to the standards of practice of direct entry midwifery as established by the board, in which case actual injury need not be established.

OAR 325-015-0000(31)

" Risk assessment" means the analysis of health compromising conditions relevant to pregnancy, birth and the postpartum period based on information gathered through interview, clinical examination and historical data. Risk categories are identified as follows:

(a) " Absolute Risk" means the conditions or clinical situations whereby a client is evaluated to determine obstetrical or neonatal risk which would preclude being a acceptable candidate for an out of hospital birth.

(b) " Non-Absolute risk" means situations which sometimes place a client at increased obstetric or neonatal risk but does not automatically exclude a client from out-of-hospital birth.

(c) " Consultation" means discussion with another health care provider.

(d) " Non-Absolute risk factor consultation" means situations which require a medical consultation. This consultation shall be with a licensed health care provider with hospital privileges.

Former OAR 332-020-0030

Absolute and Non-Absolute Risk Criteria

(2) Intrapartum

(a) Absolute Risk Criteria

(L) Failure to progress in active phase of labor with presence of strong contractions;

(M) Failure to descend within the expected time during active pushing, generally two hours for primip and one hour for multip.

Former OAR 332-025-0020(14)

(14) Licensed direct entry midwives shall assess the appropriateness of an out-of-hospital birth for each client, taking into account the health and condition of the mother and fetus or baby according to the following two categories of risk assessment criteria in determining appropriate care:

(a) "Absolute risk" as defined in OAR 332-015-0000 (31)(a) and referenced in the following Table Two, means that clients presenting these conditions or clinical situations are felt to be at extreme obstetrical or neonatal risk. These clients are not considered appropriate candidates for out-of-hospital birth. Clients must plan for an in-hospital birth if risk factors are present in the antepartum, intrapartum or postpartum periods. If a risk factor first develops when birth is imminent, the individual midwife must use judgment taking into account the health and condition of the mother and baby to determine which is most safe for mother and baby.

The board has the authority to revoke your license under 1993 Oregon Laws, Chapter 362 and Oregon Laws, Chapter 990, and OAR chapter 332, division 1-30 which states in relevant part.

Section 10

(3) When the board finds any person has violated any grounds set forth in subsection (1) of this section, the board may take one or more of the following disciplinary actions.

(b) Revoke or suspend a license.

III. CONCLUSION

The foregoing is grounds for revocation of your license.

NOTICE OF RIGHT TO REQUEST A HEARING

You have the right to a hearing to contest this order. The hearing, if requested, will be conducted according to the Administrative Procedures Act, ORS chapter 183. A request for hearing must be in writing and must be received by the Board of Direct Entry Midwifery within 30 days from the date Notice of Proposed Disciplinary Action was mailed to you. The written request for a hearing must be sent to the Board of Direct Entry Midwifery, 700 Summer St. NE, Suite 320, Salem, Oregon 97301-1287. If you request a hearing, you will be notified of the date, time and place of the hearing. If you request a hearing you may be represented by an attorney at hearing and you may subpoena and cross-examine witnesses.

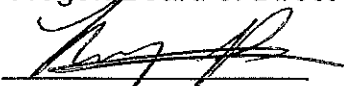
Failure to file a request for hearing within thirty (30) days will constitute waiver of your right to a hearing and the Board of Direct Entry Midwifery will consider this proposed revocation at its next scheduled meeting.

If you do not request a hearing within thirty (30) days, the Board's file automatically becomes part of the record for the purpose of proving a prima facie case.

OTHER PROCEDURAL MATTERS REGARDING HEARINGS

You have the right to be advised of other procedural matters regarding Board hearings. These rights are set forth in the accompanying notice, Exhibit A, as required under ORS 183.413.

Susan K. Wilson, Director
Health Licensing Office
Oregon Board of Direct Entry Midwifery


Larry Peck
Regulatory Operations Manager

Enclosed
CERTIFIED MAIL # 7000 1670 0001 0730 3652
Request For Hearing Form

U.S. Postal Service
CERTIFIED MAIL RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

7000 1670 0001 0730 3652

Postage	\$	Postmark Here
Certified Fee	7/10/01	
Return Receipt Fee (Endorsement Required)	(V3)	
Restricted Delivery Fee (Endorsement Required)		
Total Postage & Fees	\$	

CLAREETH LAPRINS-KASSEL
 25632 JEANS RD
 VENITA OR 97487

See back for instructions

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none"> Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 		<p>A. Received by (Please Print Clearly) _____ B. Date of Delivery _____</p>	
<p>1. Article Addressed to:</p> <p>CLAREETH LAPRINS-KASSEL 25632 JEANS RD VENITA OR 97487</p>		<p>C. Signature <u>X</u> <i>Clareeth Laprins-Kassel</i> <input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If YES, enter delivery address below: _____</p>	
<p>2. Article Number (Copy from service label)</p> <p>7000 1670 0001 0730 3652</p>		<p>3. Service Type</p> <p><input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail</p> <p><input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise</p> <p><input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p>	
<p>PS Form 3811, July 1999</p>		<p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p> <p>Domestic Return Receipt</p> <p>102595-00-M-0952</p>	

**BEFORE THE HEALTH LICENSING OFFICE
OF THE STATE OF OREGON
BOARD OF DIRECT ENTRY MIDWIFERY**

IN THE MATTER OF

**Clarebeth Loprinzi-Kassel
Licensee**

)
)
)
)
)
)
)

**AMENDED
NOTICE OF PROPOSED
REVOCATION**

**License No. 0618123672
File No. 99-01**

The Board of Direct Entry Midwifery hereby proposes to revoke your license on the following grounds:

**I.
ALLEGATIONS**

On August 15, 1999 you were the primary midwife in a birth that resulted in an infant death. Based upon an investigation conducted, the following violations of direct entry midwifery statutes were found:

- 1) The mother was completely dilated for 35 hours with the baby's head visible through the vaginal opening;
- 2) Rupture of the membrane without assessments of temperature and without repeated pelvic examinations;
- 3) Prolonged second stage;
- 4) Maternal exhaustion without treatment;
- 5) 42 week and 5 days gestation period without fetal surveillance;
- 6) Verbal abuse of mother; and
- 7) Soliciting the father to attest to known false information at the time of admittance of the mother to the hospital.

**II.
STATUTES AND RULES**

The above conduct is a violation of Oregon Laws, Chapter 362 and Oregon Laws, Chapter 990 and OAR chapter 332, division 1-30 which states in relevant part.

Section 10

- (1) The following acts shall be grounds for which the State Board of Direct Entry Midwifery may refuse to grant a license or may exercise the disciplinary action against a licensed direct entry midwife:

(f) Engaging in unprofessional conduct including, but not limited to, any departure from or the failure to conform to the standards of practice of direct entry midwifery as established by the board, in which case actual injury need not be established.

The board has the authority to revoke your license under 1993 Oregon Laws, Chapter 362 and Oregon Laws, Chapter 990, and OAR chapter 332, division 1-30 which states in relevant part.

Section 10

- (2) When the board finds any person has violated any grounds set forth in subsection (1) of this section, the board may take one or more of the following disciplinary actions:

(b) Revoke or suspend a license.

III. CONCLUSION

The foregoing is grounds for revocation of your license.

NOTICE OF RIGHT TO REQUEST A HEARING

You have the right to a hearing to contest this order. The hearing, if requested, will be conducted according to the Administrative Procedures Act, ORS chapter 183. A request for hearing must be in writing and must be received by the Board of Direct Entry Midwifery within 30 days from the date this Order Imposing Civil Penalty was mailed to you. The written request for a hearing must be sent to the Board Direct Entry Midwifery, 700 Summer St. NE, Suite 320, Salem, Oregon 97301-1287. If you request a hearing, you will be notified of the date, time and place of the hearing. If you request a hearing you may be represented by an attorney at hearing and you may subpoena and cross-examine witnesses. If you

request a hearing, you will also be given information on the procedures, right of representation and other rights relating to the conduct of the hearing before the commencement of the hearing.

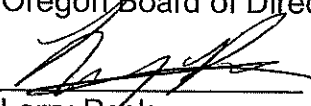
If you do not file a timely request for hearing, the Board's file automatically becomes part of the record for the purpose of proving a prima facie case. If you do not file a timely request for hearing, this order becomes final by default 31 days after the date this revocation and Notice of Right to Request a Hearing was mailed to you.

OTHER PROCEDURAL MATTERS REGARDING HEARINGS

You have the right to be advised of other procedural matters regarding Board hearings. These rights are set forth in the accompanying notice, Exhibit A, as required under ORS 183.413.

Dated this 17th day of July 2001.

Susan K. Wilson, Director
Health Licensing Office
Oregon Board of Direct Entry Midwifery


Larry Peck
Regulatory Operations Manager

Enclosed
CERTIFIED MAIL # 7000 1530 0005 7748 6551
Request For Hearing Form

1 **BEFORE THE BOARD OF DIRECT ENTRY MIDWIFERY**
2 **OF THE STATE OF OREGON**

3 In the Matter of the License)

4)

5)

6)

7)

8)

9)

10)

11)

12)

13)

14)

15)

16)

17)

18)

19)

20)

21)

22)

23)

24)

25)

SETTLEMENT AGREEMENT and
STIPULATED FINAL ORDER

Previous License Number: 0618123672

CLAREBETH LOPRINZI,
LICENSEE

1.

The Health Licensing Office (HLO), in consultation with the Oregon Board of Direct Entry Midwifery (Board), is the state agency responsible for licensing, disciplining and regulating the practice of direct entry midwifery in the State of Oregon.

2.

The Board issued and served on Clarebeth Loprinzi, aka Clarebeth Loprinzi-Kassel, and (licensee) a Proposed Revocation (Notice) on July 17, 2001. The Notice alleged that licensee violated 1993 Oregon Laws Chapter 362 and 1999 Oregon Laws Chapter 990 OAR chapter 332 by engaging in unprofessional conduct, to wit failing to conform to standards of practice and soliciting false information concerning a birth at which she assisted.

3.

Licensee timely requested a hearing.

1
2 4.

3 The parties desire to settle this matter. Licensee does not want to incur the expense
4 of a contested case hearing. Therefore, pursuant to ORS 183.415(5) they stipulate as
5 follows:

6 A. The Final Order below may be issued and entered.

7 B. The HLO asserts it has information (contained in the Notice, which is
8 incorporated by this reference) that causes it to believe that Licensee engaged in
9 unprofessional conduct. The allegations are amended to include soliciting false
10 information. The HLO asserts that its allegations are true. It denies that any
11 member of the Board has any conflict of interest. It further asserts that it has
12 authority and jurisdiction over this matter.

13 C. Licensee denies all of the HLO's allegations, and in particular all allegations
14 relating to soliciting false information. She asserts that certain Board members
15 have conflicts of interest in this matter. She further questions the HLO's and the
16 Board's authority or jurisdiction because she has no license.

17 D. The parties recognize and agree that Licensee does not currently have an Oregon
18 License to practice Direct Entry Midwifery and that it has never been revoked.
19 The parties also recognize that at the time of the alleged violations, Licensee did
20 possess an Oregon license to practice Direct Entry Midwifery.

21 E. Licensee withdraws her request for hearing and waives any and all rights to a
22 hearing or to otherwise challenge the Final Order below;

23 F. Licensee agrees that she will not seek to be re-licensed by the Oregon Board of
24 Direct Entry Midwifery or any of its successors unless she has satisfied the
25 following conditions:

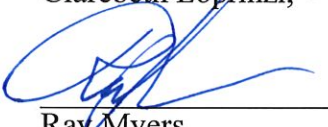
1. Licensee has not been convicted of a crime in connection with any of the violations alleged in the Notice and no civil or criminal actions arising out of the violations alleged in the Notice are currently pending;
 2. Licensee has successfully attended a recognized school of midwifery for at least 25 CEU hours or training after 1/1/01.
 3. Licensee agrees to be directly supervised during all births by a licensed Direct Entry Midwife approved by the Board for a period of one year after any re-licensure;
 4. Licensee agrees that during the first year of any re-licensure with the Board of Direct Entry Midwives, she shall submit her chart notes and medical records within one week of each birth to an OB/GYN expert approved by the Board). Licensee shall choose the OB/GYN expert from a list of approved experts sent to her by the Board. The expert shall review the notes and records submitted, decide whether any changes in procedure are necessary and, if so, shall make recommendations in writing and submit recommendations to Licensee and the Board. Licensee agrees to follow all recommendations in subsequent births.
 5. Licensee agrees that the Board may review all her records of births at which she assisted either during her training or during the first year of her licensure;
- G. Licensee understands that the HLO and the Board may consider the violations alleged in the Notice and as amended herein in determining whether to issue her a license, even if she complies with the prerequisites set forth in "F" above. Should the HLO and the Board in such consideration deny or limit Licensee's license, Licensee shall be afforded all administrative rights to notice and hearing


1 without prejudice and this agreement shall not be used as evidence against
2 Licensee in such proceeding.

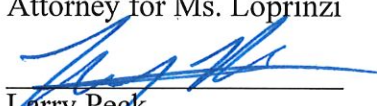
3 H. In consideration for licensee's agreeing to the terms of this settlement, the Health
4 Licensing Office withdraws the Notice of Proposed Revocation.

5 I. The parties agree that this Settlement Agreement and Stipulated Final Order is
6 not intended to be used in any other proceeding for any reason.

7
8 
Clarebeth Loprinzi,

9
10 
Ray Myers
Assistant Attorney General
Business Activities Section
Counsel to the Board

11
12 
Daniel Holland
Attorney for Ms. Loprinzi

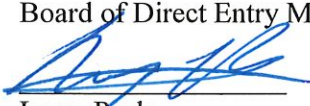
13
14 
Larry Peck
Manager Regulatory Operations Division
Health Licensing Office for
Board of Direct Entry Midwifery

15 FINAL ORDER



16 Based on the stipulation and agreement between the parties, which is incorporated
17 herein, and recognizing that Clarebeth Loprinzi does not have a license, the Board will not
18 consider reissuing a license to Clarebeth Loprinzi until she has met the contingencies set
19 forth above and has otherwise complied with the terms of this agreement. Therefore, this
20 matter is settled as agreed and the request for hearing is dismissed.

21 DATED this 9th day of August, 2002

22 Susan K. Wilson, Director
23 Health Licensing Office
24 Board of Direct Entry Midwifery

25 
Larry Peck
Health Licensing Office
Regulatory Operations Division

Record Maintenance - Updating

Board 
License Type 

License No Expired
License Name LOPRINZI-KASSEL, CLAREBETH A

Issued/Expires
Renewal

General **Services** **Employer** **Dependants** **Education** **Transactions** **Inspections** **Formal Actions** **Notes** **Links**

Applicant	<input type="text" value="029471"/>	LOPRINZI-KASSEL, CLAREBETH A	Supervisor/Date?	<input type="checkbox"/> <input type="text"/>	
Facility?	<input type="checkbox"/> <input type="text"/>		Category	<input type="text" value="UnAssigned"/> 	
Current?	<input type="checkbox"/>	Public Record? <input checked="" type="checkbox"/>	License Method	<input type="text" value="UnAssigned"/> 	
Renewable?	<input type="checkbox"/>	Cash Only? <input type="checkbox"/>	Reciprocity Entity	<input type="text" value="N/A"/> 	
License Status	<input type="text" value="Expired"/> 	Flagged Reason	<input type="text" value="Non Money Com"/> 	Reciprocity No	<input type="text"/>
Status Date	<input type="text"/>			Last Action Type	<input type="text" value="UnAssigned"/> 
Issue Date	<input type="text" value="12/28/1993"/>	Expire Date	<input type="text" value="12/31/1999"/>	Last Action Date	<input type="text"/>
Renewal Date	<input type="text" value="12/23/1998"/>			License Balance	<input type="text" value="\$0.00"/>
Revival Date	<input type="text"/>	Valid Year	<input type="text" value="1999"/>	Money on Hold	<input type="text" value="\$0.00"/>
License Printed	<input type="text" value="1/19/1999"/>				
Certificate Printed	<input type="text"/>	New License Type	<input type="text" value="UnAssigned"/> 		

Save/Exit

Save/Refresh

Get New Number

Delete

Replicate

Print License

Close

**** Update Data and Press Save When Done (Correct Errors Where Indicated) ****